

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Rine et al.

Group Art Unit: Not yet assigned

Serial No. Not yet assigned

Examiner: Not yet assigned

Filed: Herewith

Attorney Docket No. B96-021-6

For: *AFC1 and RCE1: Isoprenylated
CAAX Processing Enzymes*

Date: August 21, 2003

This application is a CON of 09/165,460, filed on 10/2/98, which is a DIV of 08/902,774, filed 07/30/97 and claims benefit of 60/023,491, filed on 08/07/96.

TRANSMITTAL LETTER
AND STATEMENT UNDER 37CFR 1.821-1.825

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

This application is a continuation of Serial No. 09/165,460, filed October 2, 1998 and having the same title and inventors. The enclosed Specification is identical to that of prior application 09/165,460, except for updating the related application information, providing a new set of claims, incorporating the amendments entered in the prior Specification and incorporating the sequences of the recited Genbank accession numbers (NCBI sequence records enclosed). These sequences are inherent in the accession numbers and introduce no new matter.

Kikly et al. (US Pat Nos. 6,110,717 and 6,060,277) disclose particular human Afcl and Rce1 transcripts. Kikly et al. may well be entitled to their species claims; however the genus claim is properly assigned to the present disclosure which demonstrably disclosed the invention as claimed to those skilled in the art, and demonstrably placed the invention in the hands of the interested public, enabling those skilled in the art to practice the claimed genus without undue experimentation. Note that the only disclosure of how Kikly et al. obtained

their disclosed species is by simply "translating [the subject Rine et al. results] to human cells" (US Pat No. 6,110,717, col.2, lines 33-62).

In adherence with 37 CFR 1.821-1.825, this application is accompanied by a diskette containing SEQ ID NOS 01-06 in computer readable form and a paper copy of the sequence information. The computer readable Sequence Listing was prepared through the use of the software program "PatentIn" provided by the Patent and Trademark Office. The sequence information recorded in computer readable form is identical to that of the written Sequence Listing submitted herewith. This submission introduces no new matter.

Respectfully submitted,
SCIENCE & TECHNOLOGY LAW GROUP



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